

REMARKS

New claim 9 has been added to recite that batteries are replaceable on a carrier when the carrier is pulled out like a drawer, exactly as described in lines 28-30 on page 2 of the original specification. Because claim 9 is supported *verbatim* by the original specification, it clearly does not involve “new matter.”

The rejection of claims 1-6 and 8 under 35 USC §102(b) [which should actually be §102(e)] in view of U.S. Patent No. 7,089,291 (Philyaw) is respectfully traversed on the grounds that the Philyaw patent neither discloses nor suggests a power supply module inserted into an opening of the body of a wireless input device, as claimed, and which forms a part of the housing of the device when the power supply module is inserted into the opening. In particular, the body of cellular telephone 3702 of Philyaw does not include any sort of opening, as claimed, into which a power supply module can be inserted.

The Philyaw patent discloses a battery pack 3700 that **attaches to the back** of a cell phone body. This is not the same as providing for insertion of the pack into the body of the phone. The cell phone body does not include any opening into which the pack is inserted. Instead, the body includes contacts and a slot for receiving locking tab 3806. The slot for receiving locking tab 3806 is the only opening in the cell phone body, but the slot is not large enough to receive the entire battery pack. Therefore, it is respectfully submitted that battery pack 3700 cannot reasonably be considered to be inserted into an opening in the cell phone body, as claimed, and therefore that Philyaw does not anticipate the claimed invention.

According to the Examiner, reference numeral 3717 of Philyaw indicates the claimed “body,” as explained in the last line on page 2 of the Official Action. However, reference numeral 3717 is actually the housing of the battery pack, and not the cell phone body. As explained in col. 31, lines 7-9 of the Philyaw patent:

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The battery pack having an integral optical reader 3700 includes a housing 3717 which is adapted to be removably attachable to the cellular telephone 3702.

Col. 31, lines 31-36 go on to describe the manner of attachment to the telephone:

In this case, grooves 3804 are provided along the edges of the battery pack 3700 which slidably interface with projections (not shown) on the back face of the cellular telephone 3702. A locking tab 3806 is also provided which engages the telephone 3702 to prevent unintentional release of the battery back 3700.

Thus, the battery pack slides onto the back face of the telephone, and in no way is inserted into an opening in the body of the phone, there being no such opening.

It is true that when the battery pack 3700 is not attached to the phone 3702 of Philyaw, the body of the phone forms a notch or L-shaped surface for receiving the battery pack. However, the notch is not an “opening,” and the battery pack cannot reasonably be considered to be inserted “into” the opening.

Finally, with respect to claim 1, it is respectfully noted that a cellular telephone is not normally considered by those skilled in the art to be a “wireless input device,” as claimed. The purpose of the invention is to provide an easy way to change batteries in the wireless input device without having to replace the entire module. Once the module is withdrawn from the body, the old batteries can be taken out and new batteries inserted, and the entire module with fresh batteries re-inserted into the input device housing. In effect, the invention provides a drawer (as more explicitly recited in new claim 9) that can be pulled in and out to facilitate insertion and removal of the batteries of the input device. The battery pack of Philyaw, in contrast, is not simply a drawer for replaceable batteries, but rather a sealed unit that must be disposed of when the batteries contained therein no longer can carry a charge.

As to the dependent claims, it is respectfully noted that claims 6 and 8 are clearly not anticipated by the Philyaw patent since these claims recite a computer mouse, trackball, and game controller, none of which are disclosure by Philyaw. In addition, Philyaw does not suggest the subject matter of new claim 9, which recites that the batteries are “**replaced on the carrier**”

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(rather than being part of a sealed battery pack) by drawing out the power supply module from the opening as if pulling out a drawer.

As a result of the above-described differences, the Philyaw patent does not anticipate the claimed invention, and withdrawal of the rejection under 35 USC §102 is respectfully requested.

Having thus overcome the sole rejection made in the Official Action, withdrawal of the rejection and expedited passage of the application to issue is requested.

Respectfully submitted,

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